

*Sealed*  
RJD, USDOJ



U.S. Department of Justice

United States Attorney  
Eastern District of New York

MEB  
F. #2018R02275

271 Cadman Plaza East

Brooklyn, New York 11201

**FILED**

IN CLERK'S OFFICE  
US DISTRICT COURT E.D.N.Y.

March 12, 2019

★ MAR 19 2019 ★  
BROOKLYN OFFICE

**TO BE FILED UNDER SEAL**

The Honorable Dearie  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: United States v. Rodrigo Garcia Berkowitz  
Criminal Docket No. 19-64 (RJD)

Dear Judge Dearie:

The government respectfully submits this letter to request that the Court accept the guilty plea of the defendant Rodrigo Garcia Berkowitz in the above-captioned case. As the Court is aware, this defendant pled guilty before Magistrate Judge Steven M. Gold on February 8, 2019. A copy of the transcript of the defendant's guilty plea is attached hereto. In addition, the government has also enclosed a proposed order accepting this guilty plea. The defendant consents to the government's motion.

The government and the defendant respectfully request that this letter and the attached transcript be filed under seal. The defendant's cooperation has not been publicly revealed by the parties. Revealing the defendant's cooperation at this time, therefore, could engender harm to the defendant. See United States v. Doe, 63 F.3d 121, 128 (2d Cir. 1995) (danger to person may be compelling reason to override public's right of access in courtroom closure context). Moreover, unsealing this letter will likely harm the ability of law enforcement to secure current and future cooperation from persons similarly situated to the

defendant, a fact that also weighs against public disclosure. United States v. Amodeo, 71 F.3d 1044, 1050 (2d Cir. 1995).

Respectfully submitted,

RICHARD P. DONOGHUE  
United States Attorney

By: /s/ Mark E. Bini  
Mark E. Bini  
Assistant U.S. Attorney  
(718) 254-8761

Enclosure

cc: Clerk of the Court (RJD) (by ECF)  
Kent Schaffer, Esq. (by e-mail)  
James Kennedy, Esq. (by e-mail)